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Remarks

Claims 1, 3-6, 8-10 and 14, 15, and 17-19 are pending in the application.

Claims 1, 3, 6, 8, 14 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Remein (U.S. Patent 6,477,142, hereinafter "Remein").

Claims 4, 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Remein in view of Applicants' specification admitted prior art.

Claims 5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Remein in view of Tyrrell (U.S. Patent No. 5,185,736, hereinafter "Tyrrell").

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Remein in view of Dravida.

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Entry of this Amendment is proper under 37 CFR § 1.116 since the amendment: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfies a requirement of form asserted in the previous Office Action; (d) does not present any additional claims without canceling a corresponding number of finally rejected claims; or (e) places the application in better form for appeal, should an appeal be necessary. The amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Thus, entry is respectfully requested.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel

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and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, since a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

Rejections Under 35 U.S.C. 102(e)

Claims 1, 3, 6, 8, 14 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Remein (U.S. Patent No. 6,477,142, hereinafter "Remein"). The rejection is traversed.

In general, Remein discloses a method for increasing bandwidth of a uni-directional path switched SONET ring network. The bandwidth is increased by sacrificing protection of the information carried on the path switched SONET ring network. More specifically, as disclosed in Remein, the method alters the way in which information is added to the ring network at a node and how the information is dropped at other nodes on the ring. (Remein, Abstract).

Remein, however, fails to teach or suggest each and every element of Applicants' claim 1, as arranged in the claim. Namely, Remein fails to teach or suggest at least the limitations of "a first interface to a first high capacity trunk for directly coupling to a second type one node," as claimed in Applicants' claim 1.

Rather, referring to Figure 3 of Remein, assuming that nodes 38 and 39 may be considered to be type one nodes and nodes 32 and 34 may be considered to be type two

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nodes, Remein merely teaches one interface to two different high capacity trunks for directly coupling to two different type two nodes, respectively. Remein fails to teach or suggest the arrangement of Applicants' claim 1.

In the Response to Arguments section of the Office Action, the Examiner asserts that "[d]irectly coupled is not defined in applicants' specification as directly connected; therefore, directly coupled has a broad meaning." (Office Action, Pg. 7). Similarly, the Examiner asserts that "[t]he applicant's specification does not define directly coupled as meaning directly connected." (Office Action, Pg. 8). Additionally, the Examiner asserts that "[c]ouple means indirect connection." Applicants respectfully disagree.

MPEP § 2111.01 states that "[t]he words of a claim must be given their 'plain meaning' unless such meaning is inconsistent with the specification." Webster's Unabridged Dictionary defines the word "couple" as meaning "10. to join; connect." (Random House Webster's Unabridged Dictionary, Second Edition, Emphasis added). Applicants note that nothing in Applicants' specification attempts to give the term "coupled" a meaning inconsistent with this dictionary definition. Thus, the term "coupled" used in Applicants' specification and claims must be given its plain meaning of "connected". Furthermore, Applicants note that the Applicants have gone even further than required by adding the word "directly" before "coupled" to clarify that the first interface is for directly connecting to a second type one node, rather than for connecting to a second type one node via other type one or type two nodes.

Additionally, Applicants respectfully submit that the Examiner impermissibly gives the word "coupled" a meaning that is contradictory to its dictionary definition. Specifically, as noted hereinabove, the Examiner has interpreted the word "coupled" as being an indirect connection in order to attempt to fit the teachings of Remein to the limitations of Applicants' claim 1. This definition of "coupled" relied upon by the Examiner is clearly contradictory to the established definition of "coupled". Therefore, the Applicants respectfully submit that, since the basis of the Examiner's rejection relies upon an impermissible interpretation of the word "coupled," the Examiner's rejection is improper.

Furthermore, Applicants respectfully submit that Applicants' specification and drawings clearly show direct connections between network elements.

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First, Applicants' specification states that "...a low traffic node (e.g., CS 505) is coupled (a) directly to an other low traffic node (e.g., CS 520) via a high capacity trunk." (Specification, Pg. 8, Lines 6-8, Emphasis added). Furthermore, Applicants' Figures clearly show a direct connection between two cable stations (namely, between CS 505 and CS 520) that does not include any other cable stations or central offices between those nodes. Based on this combination of Applicants' specification and associated drawings, Applicants submit that it is abundantly clear that the Examiner is interpreting the "directly coupling" portion of Applicants' limitation of "a first interface to a first high capacity trunk for directly coupling to a second type one node" too broadly.

Second, Applicants' specification states, with respect to Figure 5, that "...there is a separate STM-1 pipe coupling CS 505 with CO B. In such an arrangement, where separate pipes couple cable stations directly to central offices, 'back hauling' may occur." (Specification, Pg. 7, Lines 3-6, Emphasis added). Furthermore, Applicants note that Applicants' Figures clearly show a direct connection between a cable station (illustratively, CS 505) and a central office (illustratively, CO B) that does not include any other cable stations or central offices between those nodes. Based on this combination of Applicants' specification and associated drawings, Applicants submit that it is abundantly clear that the Examiner is interpreting the "directly coupling" portion of Applicants' limitation of "a second interface to a second high capacity trunk for directly coupling to a type two node" too broadly.

Moreover, in the Response to Arguments section of the Office Action, the Examiner asserts that "[t]he applicant intentionally has not used the wording in the claim directly connected; therefore, the Examiner has interpreted directly coupled as reading on a path between two devices." (Office Action, Pg. 8). Applicants respectfully disagree.

Applicants note that the Applicants' use of the term "directly coupled" in the claims is based on the Applicants' use of the term "directly coupled" throughout the specification. Applicants are merely trying to ensure that the language of the claims conforms to the language of the specification. For at least the reasons described hereinabove, it is clear that the term "directly coupled" as used in Applicants' claims means a direct connection between the network elements that does not traverse any other type one or type two nodes. This is clear from Applicants' specification and drawings, as

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well as Webster's Unabridged Dictionary (which, as shown hereinabove, defines the word "coupled" using the word "connected"). Thus, the Examiner's assertion is without basis.

Therefore, for at least the reasons cited hereinabove, Applicants respectfully submit that there is clearly support in Applicants' specification for the limitations of "a first interface to a first high capacity trunk for directly coupling to a second type one node" and "a second interface to a second high capacity trunk for directly coupling to a type two node." Furthermore, the Examiner's interpretation of the term "coupled" as an indirect connection is clearly erroneous and impermissible. In the absence of such an interpretation, the Examiner's rejection in view of Remein clearly cannot be sustained.

Returning to the Examiner's arguments with respect to the teachings of Remein, in the Office Action the Examiner asserts that the configuration of Figure 3 of Remein teaches Applicants' claim 1. Specifically, the Examiner asserts that node 38 of Figure 3 teaches the first type one node for grooming low capacity client signals into a high capacity signal. Furthermore, the Examiner asserts that interface 38a of node 39 teaches an interface to a first high capacity trunk and an interface to a second high capacity trunk. (Office Action, Pg. 5).

For at least the reasons cited hereinabove, Applicants respectfully submit that it is clear that "directly coupled" refers to a direct connection. Accordingly, since nodes 38 and 39 of Remein are not directly coupled but, rather, are indirectly coupled via intervening nodes 32 and 34, Applicants respectfully submit that Remein fails to teach or suggest Applicants' limitation of "a first interface to a first high capacity trunk for directly coupling to a second type one node," as claimed in Applicants' claim 1. As such, Remein fails to teach or suggest each and every limitation of Applicants' claim 1, as arranged in the claim.

Anticipation requires, in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim. Remein fails to disclose each and every element of Applicants' claim 1, as arranged in the claim.

As such, independent claim 1 is not anticipated by Remein and is patentable under 35 U.S.C. §102. Similarly, claims 6 and 14 recite relevant limitations similar to those recited in independent claim 1 and, as such, and at least for the same reasons as discussed

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above, these independent claims also are not anticipated by Remein and are patentable under 35 U.S.C. §102. Furthermore, since all of the dependent claims that depend from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Remein.

Therefore, Applicants' claims 1, 3, 6, 8, 14 and 18 are allowable over Remein under 35 U.S.C. 102(e). The Examiner is respectfully requested to withdraw the rejection.

Rejections Under 35 U.S.C. 103(a)

Claims 4, 9 and 17

Claims 4, 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Remein in view of Applicants' specification admitted prior art.

Each ground of rejection applies only to dependent claims, and each is predicated on the validity of the rejection under 35 U.S.C. 102 given Remein. Since the rejection under 35 U.S.C. 102 given Remein has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Applicants' specification admitted prior art supplies that which is missing from Remein to render the independent claims unpatentable, these grounds of rejection cannot be maintained.

Therefore, Applicants' claims 4, 9 and 17 are allowable over Remein in view of Applicants' specification admitted prior art under 35 U.S.C. 103(a). The Examiner is respectfully requested to withdraw the rejection.

Claims 5, 10 and 15

Claims 5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Remein in view of Tyrrell (U.S. Patent No. 5,185,736, hereinafter "Tyrrell").

Each ground of rejection applies only to dependent claims, and each is predicated on the validity of the rejection under 35 U.S.C. 102 given Remein. Since the rejection under 35 U.S.C. 102 given Remein has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Tyrrell supplies that which is

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missing from Remein to render the independent claims unpatentable, these grounds of rejection cannot be maintained.

Therefore, Applicants' claims 5, 10 and 15 are allowable over Remein in view of Tyrrell under 35 U.S.C. 103(a). The Examiner is respectfully requested to withdraw the rejection.

Claim 19

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Remein in view of Dravida.

Each ground of rejection applies only to dependent claims, and each is predicated on the validity of the rejection under 35 U.S.C. 102 given Remein. Since the rejection under 35 U.S.C. 102 given Remein has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Dravida supplies that which is missing from Remein to render the independent claims unpatentable, these grounds of rejection cannot be maintained.

Therefore, Applicants' claim 19 is allowable over Remein in view of Dravida under 35 U.S.C. 103(a). The Examiner is respectfully requested to withdraw the rejection.

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Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Michael Bentley at (732) 383-1434 or Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

Dated: 9/7/07

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